

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Jasaan A. Rocha-Alves**

**Docket No. 5:13-MJ-1562-1**

**Petition for Action on Probation**

COMES NOW Debbie W. Starling, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jasaan A. Rocha-Alves, who, upon an earlier plea of guilty to Simple Possession of Marijuana, in violation 21 U.S.C. 844(a); and Concealed Weapon, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 14-269(a)(1), was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on March 11, 2014, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
2. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
3. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
4. The court further orders that the weapon (.38 revolver) referred to in Count 2 shall be destroyed.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On June 13, 2014, the defendant committed the offense of Resisting Public Officer (14CR57090) in Cumberland County, North Carolina. The defendant notified the probation officer of the incident as required. He advised that he left a party with an unknown male, shots were fired at the vehicle in which he was a passenger, and the driver fled the scene at a high rate of speed. Law enforcement pursued them, and when the vehicle stopped, they both fled on foot. The defendant advised that he was apprehended but the driver was not. The defendant advised that he panicked and ran, and in hindsight should not have done so. The arresting officer confirmed he pursued the speeding vehicle which struck a mailbox at which time the two occupants fled. Once the defendant was apprehended, a search of the vehicle revealed damage consistent with five gunshots. The investigation is ongoing with regard to the driver of the vehicle and any further criminal activity. On June 25, 2014, the defendant reported to the office and submitted a urine specimen which proved positive for marijuana. He admitted that he relapsed and smoked marijuana on June 21, 2014. He further advised that he recognizes he used poor judgment in making the

decisions to smoke marijuana and flee from law enforcement. In an effort to provide a punitive sanction and allow the defendant an opportunity to undergo additional treatment, it is respectfully recommended that the defendant be placed on home incarceration for a period of 60 days. Additionally, it is recommended that the defendant participate in cognitive behavioral therapy as directed. Should the investigation relating to the arrest yield evidence of further criminal activity on the part of the defendant, the court will be notified immediately. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall abide by all conditions and terms of the home incarceration program for a period not to exceed 60 consecutive days. The defendant shall be restricted to residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The defendant shall pay for electronic monitoring services as directed by the probation officer.
2. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Debbie W. Starling  
Debbie W. Starling  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: June 27, 2014

**ORDER OF COURT**

Considered and ordered this 2nd day of July, 2014, and ordered filed and made a part of the records in the above case.

  
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James E. Gates  
U.S. Magistrate Judge